

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

Lennett Gensel,

Civil File No. 13-cv-1196 RTR

Plaintiff,

vs.

**DEFENDANT'S
MOTION TO STAY**

Performant Technologies, Inc.,

Defendant.

Defendant Performant Technologies, Inc., by and through its undersigned attorneys, moves this Court for a Motion to Stay the proceedings pursuant to the primary jurisdiction doctrine until the Federal Communications Commission issues a decision on two Petitions for Declaratory Rulings that are currently pending. Defendant further moves that this requested stay be held in abeyance until after the parties have completed mediation which is currently scheduled for October 8, 2014. (*See* Docs. # 28, 29.) In the event the mediation is successful, this motion will become moot.

In support of its Motion to Stay, Defendant offers and incorporates by reference its Memorandum in Support of its Motion to Stay.

BASSFORD, REMELE, P.A.

Dated: September 2, 2014

By: /s/ Jessica L. Klander
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